

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: :
: :
BERNARD L. MADOFF INVESTMENT :
SECURITIES LLC, :
: :
Debtor. :
: :
----- X
IRVING H. PICARD, Trustee for the :
Liquidation of Bernard L. Madoff Investment :
Securities LLC, :
: :
Plaintiff, :
: :
- against - :
: :
TREMONT GROUP HOLDINGS, INC., et al., :
: :
Defendants. :
: :
----- X

11-cv-7330 (UA)
ECF Case
Electronically Filed

**NOTICE OF MOTION
TO DISMISS THE APPEAL**

PLEASE TAKE NOTICE that, upon the Notice of Appeal from the Bankruptcy Court (the "Appeal"), the Designation of Bankruptcy Record on Appeal, the accompanying memorandum of law, and all prior papers and proceedings herein, defendants/appellees Tremont Group Holdings, Inc., Tremont Partners, Inc., Tremont (Bermuda) Limited and Robert I. Schulman (together, "Tremont") will move this Court, at the United States Courthouse, 500 Pearl Street, New York, New York 10007-1312, at a date and time to be determined by the Court, for an Order dismissing the Appeal as against Tremont for lack of standing, and granting such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 6.1(b) of the Local Civil Rules of this Court, opposition papers must be served on the undersigned on or before November 3, 2011.

Dated: New York, New York
October 20, 2011

/s/ Seth M. Schwartz
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